

SENATE BILL 101

By Norris

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 5, Part 1, relative to collection of child
support arrears.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-101(f), is amended by adding
the following language as a new subdivision:

(6)

(A) With the approval of the court, the child support agency, obligor, or obligee shall have the right to compromise and settle a child support arrearage balance owed directly to the obligee. This authority is given to forgive accrued principal and interest on delinquent child support with the approval of the obligee and shall not include any monies owed to this or any other state. Both the obligee and obligor must consent to the compromise and settlement in writing in accordance with the procedures established by the child support agency or court.

(B) Prior to giving consent, the obligee shall be provided with a written explanation of the compromise and settlement and of the obligee's rights with respect to child support arrears owed to the obligee. In no event may an offer of compromise and settlement of any child support arrears owed directly to the obligee be accepted unless the obligee consents to the offer of compromise and settlement in writing.

(C) To be eligible for a compromise and settlement of the child support arrearage balance, the obligor must pay the child support obligation in full for a minimum of six (6) months immediately preceding the compromise and

settlement between the obligor and obligee in order to compromise and settle the remaining balance.

(D) A compromise and settlement of a lesser amount than the total principal and interest that is owed shall not be considered against public policy if the compromise and settlement is in the best interest of the child or children.

(E) The program shall operate uniformly across this state and shall take into consideration the needs of the child or children subject to the child support order and the obligor's ability to pay.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.